

Pursuant to Federal Rule of Civil Procedure 56, Defendants in the above-captioned action respectfully move the Court for entry of summary judgment in their favor. In support of this motion, Defendants state as follows:

2. The Court dismissed Plaintiffs' discrimination claim with prejudice on January 14, 2019 (R. 119), leaving only Plaintiffs' two breach of fiduciary duty claims for adjudication.

3. The Court should enter summary judgment for Defendants on all of Plaintiffs' remaining claims because, in light of the undisputed facts, Plaintiffs cannot demonstrate that Defendants breached their fiduciary duties, and Defendants are therefore entitled to judgment as a matter of law. In addition, Plaintiffs cannot demonstrate that Defendants' actions caused any

losses to the Central States, Southeast and Southwest Areas Pension Fund, a necessary element of their claims.

4. The grounds in support of this motion are more fully set forth in Defendants' accompanying Memorandum of Law in Support of Their Motion for Summary Judgment, which are incorporated herein by reference.

5. Defendants respectfully request oral argument pursuant to Local Rule 78.3.

WHEREFORE, Defendants respectfully request that the Court enter summary judgment in their favor on all of Plaintiffs' remaining claims.

DATED: March 22, 2019

Respectfully submitted,

/s/ Bradley H. Weidenhammer

James F. Hurst (ARDC # 6202190)

Kevin T. Van Wart, P.C. (ARDC # 6183921)

Bradley H. Weidenhammer (ARDC # 6284229)

Howard Kaplan (ARDC # 6306286)

Kirkland & Ellis LLP

300 North LaSalle

Chicago, IL 60654

-and-

James P. Condon (ARDC #03126986)

Robert A. Coco (ARDC #06194766)

John J. Franczyk, Jr. (ARDC #06224947)

9377 West Higgins Road

Rosemont, IL 60018

Attorneys for Defendants

CERTIFICATE OF SERVICE

I, Bradley H. Weidenhammer, an attorney, certify that on this 22nd day of March, 2019, I caused a copy of the foregoing to be served through the Court's ECF system, which will serve all counsel of record.

/s/ Bradley H. Weidenhammer
Bradley H. Weidenhammer